HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE S. ANANDA REDDY

W.P.NO. 16013 OF 2007

DATED: 26.7.2007

Between:

M/S Indo-Iron Foundry Private Limited

… Petitioner

and

The Appellate Dy. Commissioner (CT),
Secunderabad Division and another

… Respondents

HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE S. ANANDA REDDY

W.P.NO.16013 OF 2007

ORAL ORDER: (per BN.J)

Heard the learned counsel for the parties and with their consent the writ petition is disposed of, at this stage. The order dismissing the appeal for non-payment of admitted tax as well as 12.5% of the disputed tax dated 26.7.2006 is challenged by way of this writ petition.

It is submitted that the petitioner had no sufficient means when the appeal was filed and the order dismissing the appeal was communicated to him only on 10.5.2007 and thereafter he has deposited the requisite amounts on 4.6.2007.

In view of the submission that the amounts required to be deposited have already been deposited, it would be in the interest of justice if the appeal is decided on merits. Therefore, the impugned order dated 26.7.2006 is quashed and the appellate authority is directed to entertain the appeal and decide it on merits.

The writ petition is disposed of. No costs.

BILAL NAZKI, J

S. ANANDA REDDY, J

Date: 26.7.2007

cvm